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Kent, WA 98032

September 28, 2009

Mr. Peter DeVries, Council Chair
State Building Code Council
PO Box 42525
Olympia, WA 98405-2525

Re: Proposed Rules regarding Carbon Monoxide Alarms

Dear Mr. DeVries:

I am the Government Affairs Director of the Washington Multi-Family Housing Association. Our members own and/or manage many large multifamily properties in the state. These properties will be impacted by the rules the SBCC is considering in order to implement the provisions of SSB 5561.

SSB 5561 authorizes the SBCC to “exempt categories of buildings if it determines that requiring carbon monoxide alarms are unnecessary to protect the health and welfare of the occupants.” The proposed rules do not specifically exempt any categories of buildings. Instead, the proposed rules only require carbon monoxide alarms in “existing dwelling units within which fuel-fired appliances exist or that have attached garages.” 907.2.9.3.1.

In my review of both the IBC and the IFC, I have been unable to locate a definition of the term “attached garage.” Many of the properties owned and managed by our members have underground parking garages. Although some might consider these garages to be “attached” to the residential buildings, it seems neither necessary nor reasonable to require carbon monoxide alarms in such buildings if there are no fuel fired appliances in the residential units. We urge the SBCC to define the term “attached garage” to exclude Group R-2 occupancies that have parking structures at or below ground level and that have parking structures that are not fully enclosed.

The proposed rules would require carbon monoxide alarms in certain existing dwelling units by January 1, 2013. However, the proposal does not indicate either the required number or location of the alarms nor does it indicate whether the alarms can be

of a plug-variety and whether they must have battery operated backup capability. We request that the proposed rules be modified to clearly state these requirements.

SSB 5561 also requires that the rules adopted by the SBCC state that the maintenance of the alarm, where a tenancy exists, including the replacement of batteries is the responsibility of the tenant. The current proposed rules do not have this provision.

On behalf of WMFHA and its members, thank you for the opportunity to comment.

Sincerely

Joseph D. Puckett
Government Affairs
WMFHA